



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/025,133 02/17/98 FUKUNAGA K 862.2136

005514 LM01/0721
FITZPATRICK CELLA HARPER & SCINTO
277 PARK AVENUE
NEW YORK NY 10172

EXAMINER

ELAMIN, A

ART UNIT

PAPER NUMBER

2782

DATE MAILED: 07/21/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/025,133

Applicant(s)
Fukunaga et al

Examiner
Abdelmoniem Elamin

Group Art Unit
2782



- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 1-51 is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-51 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☒ received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2782

DETAILED ACTION

Claim Rejections - 35 U.S.C. § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Merkley et al, US. Pat. 5,535,334.

3. As to claims 1, 4, 12, 15, 17, 20, 22, 24 & 50, Merkley discloses a data transmission method for a host and target devices, said comprises the steps of :

performing bi-directional communication between said host and target devices [see Title, Abstract, Figs 1 & 2, col. 17, lines 59-67]; and

setting a data transfer method to be performed [col. 1, lines 65-67, col. 2, lines 1-6, col. 18, lines 11-13] from a plurality of data transfer methods [Fig. 1, col. 3, lines 10, 11, 28-67] including a PULL model in which said target device reads data from said host device [col. 3, lines 40-44], based on the bi-directional communications.

Art Unit: 2782

Merkley does not explicitly teach a host and a target devices connected by a serial bus.

However this limitation is believed to fall within the scope of Merkley¹.

4. As to claim 2, 13, 18 & 23, having the data transfer methods further include a response model ... and an Isochronous model using an isochronous transfer, is believed to fall within the scope of Merkley².

5. As to claim 3, 14 & 19, Merkley teaches the host device sets the data transfer method, set in said target device, as a data transfer method for said host [col. 2, lines 9-14].

6. As to claims 5 & 6 , it is a matter of design choice to have the serial being a bus based on IEEE 1394 or universal bus standards.

7. As to claims 7, 10, 11 & 16, having said host provides image data is believed to fall within the scope of Merkley.

¹Merkley discloses additional or alternative communication methods may be implemented such as Transmission Control Protocol TCP [col. 3, lines 63-67], in which the host and the target devices are connected by a serial bus. .

² See Merkley col. 3, lines 63-67 & col. 6, lines 7-16.

Art Unit: 2782

8. As to claims 8 & 21, having the target device to form a visible image, based on the image data, on a print medium, is well known in the art.
9. As to claim 9, Merkley teaches said target device stores the data into storage medium [col. 18, lines 64,65].
10. As to claim 25, 36, 41, 46 & 51 Merkley teaches transferring a procedure signal for the transfer of data to said host and target devices [col. 9, lines 27-67, col. 10, lines 1-13, col. 20, lines 34-65].
11. As to claims 26, 37, 42 & 47, Merkley teaches a PUSH buffer model in which said host device writes data into said target device [col. 18, lines 64,65] and a PULL buffer model in which said target device reads data from said host device [col. 3, lines 40-44].
12. As to claims 27 & 28, 38, 39, 43, 44, 48 & 49 Merkley teaches the host device sets a data transfer method corresponding to said target device, based on the procedure signal [col. 9, lines 27-67, col. 10, lines 1-13, col. 20, lines 34-65].
13. As to claims 29 & 30, it is a matter of design choice to have the serial being a bus based on IEEE 1394 or universal bus standards.

Art Unit: 2782

14. As to claims 31, 34, 35 & 40, transmitting image data to said target device is believed to fall within the scope of Merkley.

15. As to claims 32 & 45, having the target device to form a visible image, based on the image data, on a print medium, is well known in the art.

16. As to claim 33, Merkley teaches said target device stores the data into storage medium [col. 18, lines 64,65].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Abdelmoniem I. Elamin whose telephone number is (703) 305-3804, or via e-mail, abdelmoni.emelamin@uspto.gov. The examiner can normally be reached Monday through Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas C. Lee, can be reached at (703)305-9717. The fax number for this Group is (703)305-3718.

Any inquiry of a general nature relating to the status of this application should be directed to the Group receptionist whose telephone number is (703)305-9600.

Any response to this action should be mailed to:

Application/Control Number: 09/025,133

Page 6

Art Unit: 2782

Commissioner of Patents and trademarks

Washington, D.C. 20231

Or faxed to:

(703)308-9051 (for formal communications intended for entry)

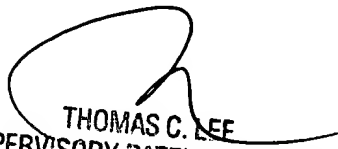
Or:

(703)305-3718 (for informal or draft communications, please label "PROPOSED"
or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA,
Sixth Floor (receptionist).

Abdelmoniem I. Elamin

July 14, 1999


THOMAS C. LEE
SUPERVISORY PATENT EXAMINER
GROUP 2700